BASIC PRINCIPLES OF THE ISLAMIC GOVERNMENT
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BASIC PRINCIPLES OF THE ISLAMIC GOVERNMENT

Muḥammad Shafīq

A Political system is not free from the influence of common values, culture and civilization of the society within which it operates. It cannot work effectively without sharing the norms, customs and the belief system of its own people. Stability in a political system can be viewed in the light of how much it projects the beliefs of its people and fulfills their aspirations and ambitions.

For hundreds of years, the Muslims have had their own culture and civilization deeply rooted in Islām. They have their own social sentiments, habits and customs derived from the Qur'ān and Sunnah of the prophet Muḥammad (Ṣalla Allah 'Alayh wa Ṣallam), distinctively different from any other civilization in the world. The Muslims are extremely conscious of their identity as Muslims and are immensely proud of the achievements of their past history, particularly the era of Khūlafā' al Rashidūn. It is because of this that Muslims are consistently and persistently demanding the establishment of an Islāmic Government. Continuing agitation by the Muslim people for the establishment of an ideal Islamic polity is evidence of the shortcomings of Muslim leadership in moving towards the desired objective.

Government in Islām, both in form and practice, is a totally different phenomenon from the Western system of government and democracy. It is unfortunate that some Muslim and non-Muslim political thinkers have treated Islām and Islāmic

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political ideals from the standpoint of Western political ideals and have used their terminology and techniques. There has been a tendency among some Muslim scholars to identify Islām with various forms of Western political theories, regardless of the differences between them. It should be remembered that democracy, liberty, and equality have a special meaning and historical significance for the West. When they speak about it, they know its importance in their history and its appeal to their inner consciousness. To apply these terms to Islām and Islāmic political thinking without proper understanding would be an injustice to Islām and would result in confusion and vagueness within the Islāmic environment. Therefore, Muslims must not copy the West and Western political thinking even though they may borrow their science and technology. Muslims should differentiate between Science and Western social sentiments. This should be in their best interest and in the interest of other people. As Sun Yat Sen warned the Chinese about Western democracy and reminded them of their past history, this author is warning the Muslims.[1] Muslims have already placed themselves in danger by blindly imitating the West. They must return to their past and pay attention to their own ideals, based on the Qur'ān and Sunnah of the prophet Muḥammad (ṢAWS). This is the key to their progress and peace in the world.

The author is not against science and technology. He is of the view that Muslims should differentiate between what is good and what is bad in Western civilization. They should differentiate between their need for Western science and Western social customs. For example, electric lights can be installed in any Muslim house, but Western customs and sentiments cannot be adjusted easily to a Muslim environment. Therefore, to import Western social customs along with Wes-

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tern machinery would be making a serious mistake. Muslims must concentrate on their own heritage rather than borrow from here and there, which would not solve their problem of political instability.

In Muslim states, there is gap between the ruling elite and the masses that is much greater than in Western society. The gap is the result of wrong approach by the elite toward politics. The masses have no idea of what the elite are professing. Publicly, the Muslim rulers claim that Islām is a way of life, controlling and guiding all aspects of life and after life. Practically, they intend to separate Islām from the temporal without ever admitting it. So far the Muslim states have shown no signs of changing from their colonial system to that of Islām. In fact many of the Muslim states either operate within the orbit of Western block or that of the Communists. All this has created a confused situation in the minds of Muslim people. The present Muslim society, in the words of Dr. ' Ali Shari'ati, is formless without any aim or goal.[2] In order to establish Islāmic political system and achieve progress and prosperity, the Muslim ruling elite should change its attitude, adopt alear and clean policy derived from the Qur'ān and Sunnah of the prophet Muḥammad (ṢAWS) and should appeal to their own historical heritage, which is deeply rooted in the hearts of the Muslim people.

The following discussion is an attempt to outline an Islāmic system of government from the standpoint of the Qur'ān and the Sunnah of the prophet Muḥammad (ṢAWS) as well as Islamic history as the author understands it.

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1. Government and Power

To distinguish between power and government is the real problem of West. The people living in the West are wary of government because the government has used its power ruthlessly in the past. Unlike the West, Muslim are not afraid of government because Islām has clearly distinguished between power and government. All power in Islām belongs to Allah (Subhnāhū wa Ṭa'āla). He is the only Master and true Ruler in the Islāmic state. Shari'ah is the manifestation of the will of Allah(SWT) which constitutes the law of the land in Islām. The relationship between Allah (SWT) and the people is that of *Ma'būd* (Master) and 'Abd (servant). 'Abd and Ma'būd and their roots are used in the Qur'ān many times.[3] Anyone who accepts the relationship of Ma'būd and 'Abd as mentioned in the Qur'ān and explained by the prophet Muḥammad (ṢAWS) is called Muslim. A Muslim is an individual who surrenders himself or herself to the will of Allah (SWT), implements the Shari'ah on himself or herself and carries its message of peace to others. Shari'ah as the law of Islām is equally binding on both the government and the people. No one is above the law, whether the government or a private person. No one is superior or inferior in the eyes of Shari'ah. All are equal and will be equally treated.

2. Government as an Employee

To implement the Shari'ah and spread its message around the world, the proper organization of the *Ummah* (Muslim Community) is necessary. Government in Islām is an instrument of implementing the Shari'ah so that humanity may achieve peace and happiness in this world and the next. The necessity of government is explained in the following verse of the Qur'ān:

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> Let there arise out of you (minkum) a band of people inviting to all that is good, enjoining what is right, and forbidding what is wrong : they are the people to attain felicity (Falāḥ).[4]

The term *minkum* used in this verse shows the need for an organized group of people elected by the people to lead them towards Falāḥ (Felicity). The term *falāḥ* means the attainment of happiness, success, prosperity, and freedom from anxiety. The ideal Muslim community is happy, untroubled by conflicts or doubts, strong and united because it is organized, and invites all towards the good ; it enjoins the right and forbids evil.[5]

Many Islāmic political thinkers believe that the necessity of government in Islām is based on revelation which is supported by reason. This view is supported by Muslim philosophers such as al Bāqilānī, al Baghdādī, al Mawardī, and al Ghazzālī.[6] They believe that Sharī'ah requires that Muslims should be organized from the lowest to the highest state level. The family as well as the town must be organized. Even if there are but three Muslims together, there must be one *amīr* (leader) among them. Organization in Islām is a must, required by the Shari'ah, and is tantamount to progress and prosperity for all of mankind.

This might have been in the minds of Pakistani ' Ulamā' when they came together in order to frame the basic principles of an Islāmic constitution. They came up with 22 points, and the fourth point required the necessity of government in an Islāmic state :

> .. to uphold and establish the right (ma'rūf) and to suppress and eradicate the wrong (munkar) as presented in the Qur'ān and Sunnah; to take all necessary measures

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for the revival and advancement of the cultural pattern of Islām ; and to make provision for Islāmic education in accordance with the requirements of the various recognized schools of Islāmic Law.[7]

Having a government in Islām is a must. The reason behind it is to provide speedy and excellent service to humanity according to the principles of the Sharī'ah. Therefore, the government in an Islāmic state is an employee, a servant, a workman — not a master — of those governed by it . The people in Islām want government to fulfill their '*Ahd* (covenant), which they contracted with their Ma'būd, that they would implement the Sharı'ah on themselves and would carry its message to others. It is to remembered that government in Islām is not based on the "divine right "theory. It is constituted by the people in Islām and is answerable to the people. The people in Islām have to judge whether or not the government is performing the job for which it has been vested with power. If the people see that the government, both in form and practice, is not doing its job properly as required by the Sharī'ah, they have the right to replace it with a new set of people. Those in the government who commit *Khiyāna* (Breach of trust) will be punished by Sharī'ah courts in this world, and Allah (SWT) will put them in *Jahannam* (hell fire) in the hereafter.[8] Those who are placed in governmental positions and perform their job with *amānah* (honesty) will win the support of Muslims, will be respected in this world, and Allah (SWT) will place them in heaven in the next world. The idea that government is instituted by the people to serve the people is clearly stated by the prophet Muḥammad (ṢAAS), who said : *Sayyid al Qawmi Khādimhum* (the leaders of the people are their servants.)[9]

As stated, government in Islām is an employee, a workman for the people. This is a very important concept in Islām

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and should be emphasized throughout the Muslim world. During the colonial period, the British treated the Muslims as their slaves, and they behaved as their masters. Even after independence, Muslim still suffer from this mental slavery. The governments in many of the Muslim states treat their people as if they are the real masters. People, therefore, are fearful of their governments and suffer from inferiority complex. Muslims should be taught that Islāmic government is not their master but their servant. The old colonial concepts should be removed from the minds of Muslim people and replaced with Islāmic ones if they are to become a source of inspiration for the people of non-Muslim countries.

3. Government and Ability.

Since the purpose of government in Islām is to implement the Sharī'ah, the people who are selected for this purpose should be the well versed in the Sharī'ah. Their actions and words should conform to the basic teachings of Islām. The terms *'Ilm* (knowledge) and *'Amal* (practice) are used in the Qur'ān side by side and one after another. A Muslim must practise and apply to himself/herself whatever he/she says. There should be no contradiction between the *qawl* (saying) and the *Fi'l* (actions) of a Muslim. About the prophet Muḥammad (ṢAWS), the Qur'ān says :

> For you indeed in the apostle of God there is a beautiful pattern (of conduct).[10]

It was this exemplary conduct of the prophet (ṢAWS) that made even his enemies call him *amīn* (trustworthy) and *sādiq* (truthful). He was a perfect example of what he taught to the people. Islām spread through such exemplary personalities whether it was Muḥammad (ṢAWS) himself or his companions such as Abū Bakr, 'Umar, 'Uthmān, 'Alī, and many others (Raḍi Allah

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Ajma'īn). Muslims and non-Muslims admired them. People such as these and many others in Islām were a source of blessing for the whole world. Non-Muslims accepted their religion after merely seeing them walking in the streets. Therefore, a government in an Islāmic state must present a high standard of Islāmic life and ethics. It must be made up of people of piety and righteousness with a sound knowledge of the Sharī'ah. Once such a government is established, people will accept its leadership and follow it.

Government through ability is not illogical. It is based on reason. If you have a car and need a driver, surely you will search for a highly skilled and expert driver. Also, the driver must be an honest and truthful person on whom you can depend. After making some search, you select a driver whom you think is the best and most suited for your needs. Then you give him the keys of your car; while you sit in the same car, the driver drives the car skillfully. It would be foolish if you hired a person who did not know to drive a car and gave him the keys of the car. Surely this would lead to destruction. Sharī'ah is that car, and we must look for an expert driver, if we want a safe and a successful journey.

Government by ability is not new to the world. It is the established practice of the Communist world. One cannot be a member of the Communist party. unless one accepts Marxism. To become an official of the Communist party, one has to serve the party for many years; and after many years of service and devotion to the party, one is promoted to the higher rank. This is also the case in the Western world. For example, in America, although it is not based on a particular ideology as is the U.S.S.R., its elite share the consensus to protect Capitalism. It is not hidden from anyone living in America that its government has launched an anti-Communist. Campaign

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and the American political machinery would never encourage anyone who is a Communist to be elected to the Congress.

The Muslims should learn from all these examples. They should change their existing political systems and emphasize government by ability in Islām. Muslim ideals are different, and Muslim approach to politics should also be different from that of Communism or Capitalism. Muslim leaders should preach that government by ability would mean: fast and excellent service and the surety of a safe and peaceful destiny.

4. **Government and Ṭ'āā.**

Ṭa'ā (obedience) to government is required by the Sharī'ah as long as the government sincerely strives for its implementation. The government thus has certain rights and duties. Its duties are to serve the country faithfully according to the best knowledge of Islām. Its rights are that people should respect it, listen to it, and obey its rules. To explain the argument, the author once again cites the example of car and driver. Cooperation between the driver and the people sitting in the car is necessary. They should follow and avoid unnecessary obstacles for the driver as long as the driver drives wisely and sincerely ; but if the people see him drive carelessly or destructively, they should withdraw their support, and this would save them from destruction. Similarly, if the government sincerely follows the laws of the Sharī'ah, people should follow it. This obedience is necessary in order to achieve the goal of happiness and peace in the shortest possible time. It might be in this connection that the Qur'ān declared :

> O ye who believe, obey Allah and obey His Messenger and those from amon g yourselves who hold authority.[11]

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According to the above verse of the Qur'ān, obedience to the ruling group is third in importance after due obedience to Allah (SWT) and His messenger (ṢAWS). This verse also means that people should obey the *amīr* (ruler) if the amīr obeys the commandments of Allah (SWT) and His messenger (ṢAAS). There is no obedience if the amīr commits sin. The prophet Muḥammad (ṢAWS) has further explained this by saying that there is no obedience in sin; it is only in virtue.[12] This clearly demonstrates that obedience to government is conditional. It is a religious necessity as long as the government rules according to the Sharī'ah. In Islāmic history, it is noted that when Abū Bakr was elected, he declared, "I am only a follower. Obey me as long as I obey the truth, but if I go astray, set me aright."[13] From this discussion it is obvious that the community is duty bound to supervise the actions of the government, to give its approval to proper actions and disapproval to sinful actions. Since it is impossible for the people on the whole to watch the actions of the government, a *Majlis al Shūra* (consultative assembly) should be elected to supervise the actions of the government.

5. Government and Shūra.

Shūra (cosultation) is a fundamental principle of the Islāmic government. It is the commandment of Allah (SWT) in the Qur'ān that matters of importance should be decided through Shūra. The Qur'ān says: "Who (conduct) their affairs by mutual consultation."[14] In this verse Shūra is described as the basic characteristic of Muslims in their collective affairs. In another verse of the Qur'ān, Shūra has been made mandatory upon Muslims. The Qur'ān tells the prophet Muḥammad (SAWS): "and consult them in affairs (of moment), then, when thou hast taken a decision, put thy trust in God."[15]

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This verse was revealed in connection with the battle of Uḥud. The prophet was commanded to consult the companions in all affairs, and once the majority decision was taken, then he was to put his trust in Allah (SWT) and act likewise. These verses of the Qur'ān teach us the following principles about shūra :

a. *Compulsoriness of Shūra.* Shūra is required by the Sharī'ah. The government should consult its subjects in all important affairs. The Pakistani 'Ulamā', including the prominent writer of Islamic constitutional theory, Maulāna Maudūdī, agree that Shūra is a must and that the government should consult the Majlis al Shūra in all important affairs. The majority opinion of the Shūra is binding on the government.[16]

b. *Shūra and Freedom.* Shūra should be conducted with freedom. Everybody in the shūra should be free to express his/her opinion. The Prophet (SAWS) permitted the companions to speak freely and express their opinions on matters of importance. The Khulafā' al Rashidūn followed in the footsteps of the prophet (ṢAWS). It is said about 'Umar that once he called upon his Shūra and addressed them by saying :

> I have called you for nothing but his that you may share with me the burden of the trust that has been reposed in me for managing your affairs. I am but one of you, and today you are the people that bear witness to truth, Whoever of you wishes to differ with me is free to do so and whoever wishes to agree is free to do that. I will not compel you to follow my desires.[17]

c. *Supremacy of the majority Opinion.* The Qur'ān also suggests that the minority should follows the majority opinion. The prophet (ṢAWS) consulted his companions about

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Uḥud. The companions differed with one another, and he followed the majority opinion.[18] The prophet (ṢAWS), in another instance, said: *Ittabiū al Sawād al 'Aẓam* (follow the overwhelming majority). [19] To follow the majority opinion is also a principle of Islāmic jurisprudence. The majority opinion of *Mujtahidūn* (experts in Islamic law) constitutes *Ijmā'* (Consensus). Once Imjā' is reached on any opinion in the Sharī'ah it becomes a law which is enforceable.

d. *Implementation of the Decisions of the Shūra.* Once the Shūra reaches a decision, its decision should be enforced. This is the command ofAllah (SWT) in the Qur'ān: "*Fā'iẓā Aẓamta Fatawakal ala Allah*" (once you resolve, then put your trust in Allah). Once the decision is made, then there should be no change, and it should be implemented. When the prophet (SAWS) made his decision about Uḥud, some of the companions wanted to change the decision, but the prophet (ṢAWS) rejected such a move. It is a very important concept of Islāmic constitutional theory that matters of mutual concern should be decided by Shūra with due deliberation and consideration but once a decision is taken, it should be implemented without delay so that the Ummah can achieve peace and prosperity in the shortest possible time.

e. *Shūra and Ahl al Ḥall waal 'Aqd.* Those who are eligible for Shūra should be consulted. The Qur'ānic verse about Uḥud cited above suggests that those who are experienced and well-informed about the matters of concern should be consulted. Before the battle of Uḥud, the experienced companions of the prophet (ṢAWS), such as Abu Bakr, Umar, and others wanted to defend Madina from within. The younger and newly converted Muslims pressed for going out to confront the enemy.[20] Since the results of the battle of Uḥud were not

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favorable for Muslims as compared to the battle of Badr, it is deduced from this incident that those who are well-informed and experienced should be consulted. It is reported that 'Alī asked the prophet (ṢAWS):

> What shall we do if we are confronted with a problem were we find nothing in the Qur'ān or guidance from you? The prophet said : Collect those of my people (Ummah) who serve God honestly and truthfully and place the matter before them for mutual consultation. Let it not be decided by individual opinion.[21]

The term *Ahl al Ḥall wa al 'Aqd* (the people who tie and untie) was coined for the purpose of specifying those people who are eligible for Shūra. This term suggests that the people called Ahl al Ḥall wa al 'Aqd were present even in the period of the prophet (SAWS), and they were consulted in important affairs. The Ahl al Ḥall wa al 'Aqd must fulfill the required qualifications for eligibility. Any person who has the required qualifications prescribed for Ahl al Ḥall wa al 'Aqd can be elected to the post of Majlis al Shūra.

It is almost the unanimous opinion of the Pakistani 'Ulamā' that the Majlis al Shūra should be elective. Muhammad Asad has argued that Majlis al Shūra was elective from the time of Abū Bakr. It was elective in the sense that it was constituted of tribal leaders, and tribal leaders of that time could be considered to have been elected. Present - day society is not tribal. There is no other way to ascertain the opinion of the community other than by means of popular vote. Asad says that if the Khulafā' al Rashidūn were faced with today's situation, they would have their Shūra elected through popular vote.[22]

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To conclude, it is deduced from the discussion on Shūra that it is elective. The Majlis al Shūra should consist of people elected from Ahl al Ḥall wa al 'Aqd. The shūra should be conducted with freedom, and the majority opinion of the Shūra should be binding on the government. The government should seek the opinion of the Majlis al Shūra in all important affairs not clearly mentioned in the Qur'ān and Sunnah of the prophet Muḥammad (SAWS).

6. Government and 'Adāla.

'*Adl* (justice) is the main objective of an Islāmic government. This is the goal and purpose of the Sharī'ah. The enforcement of the Sharī'ah through government is necessary, because Sharī'ah guarantees justice for everyone. 'Adl is the main theme of the Qur'ān. Indeed there are many verses in the Qur'ān which speak about justice :

> God commands justice, the doing of good, and liberality to kith and kin, and He forbids all shameful deeds, and injustice and rebellion; He instructs you that you may receive admonition.
>
> O ye who believe ! Stand out firmly for God, as witnesses to fair dealing, and let not the hatred of others to you make you swerve to wrong and depart from justice. Be just, that is next to piety; and fear God.
>
> O ye who believe ! stand out firmly for justice, as witnesses to God, even as against yourselves, or your parents, or your kin, and whether it be against rich or poor; for God can best protect both. Follow not the lusts (of your hearts), lest ye swerve, and if you distort (justice) or decline to do justice, verily God is well-acqainted with all that you do.[23]

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Justice in the Qur'ān is not a narrow concept; it encompasses all aspects of human life. It includes justice within the family, with relatives and neighbours. The Qur'ān asks for justice from the very lowest level up to the government level. Justice in moneymaking and its use is also an important subject of the Qur'ān. The Islamic Shari'ah guarantees justice in all aspects of human life. Government in Islām is instituted in order to enforce the Shari'ah so that people can live with justice, deal with justice with one another, and achieve peace in this world and the next.

SUMMARY :

Based on what has been stated above, the Islāmic system of government is not a theocracy, because there is no priesthood in Islām. The establishement of a theocracy has never been an issue in Muslim states. In Pakistan, it has been condemned by both the 'Ulamā' and the modernists.[24] An Islāmic government is not a democracy. Democracy has its own history and sources. Government in Islām is derived from the Qur'ān and Sunnah of the prophet Muḥammad (ṢAAS) and is based on the divine principles of Islām. Democracy is based on Secularism, the separation of the spiritual from the temporal, while Islām considers such separation impossible and dangerous for humanity. The Pakistanis also seem to agree that an Islāmic government is not a democracy in the strict sense of the word. Therefore, the Pakistani imodernists have come up with a new term, " Islāmic Democracy," to qualify the Western pattern of democracy and yet make it acceptable to Islām.

The term " Islāmic Democracy " is entirely misleading; it is a wrong and dangerous approach toward Islāmic politics. It has created an unfortunate tendency among some Muslims to legalize everything that is prohibited by Islām by giving it

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an Islāmic label. The use of the term Islāmic democracy demonstrates that the Pakistani modernists are so ignorant of their heritage that they know nothing of it except the name Islām. It is a shame that Muslims accept such foreign ideas and label them Islāmic.

What is an Islāmic system of government, if it is not a theocracy or democracy, the known systems in the West ? Some have said that an Islāmic system of government is " nomocracy," while others have said that it is " theo-democracy."[25] After due consideration of such concepts and their meanings in relation to an Islāmic system of government, the author rejects them all as inapplicable to an Islāmic pattern of government. The author believes that in appealing to the masses, a language that is clean, clear, and the source of inspiration for them should be employed. When democracy is spoken of, it has a certain meaning and historical significance and appeals to Westerners, arousing their inner consciousness. Similarly, when Islām is discussed, it should be spoken of in a language that is inspiring to Muslims.

After reviewing Islāmic history, it is suggested that the term *Khilāfah* be used to identify an Islāmic government. It fits in with what is discussed above about the basic principles of an Islāmic government. Khilāfah means that the Sharī'ah is the law of the land and that an honest, truthful, experienced and knowledgeable Amīr rules with the consent of Majlis al Shūra. Khilāfah is also respected by the Muslims. The golden rule of Khūlafā' al Rāshidūn is often repeated in Muslim gatherings. Even recently, students of history know that people of the Subcontinent, Muslims and non-Muslims, shed countless drops of blood in support of Khilāfah.

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Khilāfah is thus a source of inspiration for Muslims. If the program of Khilāfah is successfully explained and established in Muslim lands, it will surely bring political stability and will result in peace and prosperity. If Muslims fail to implement Islām in their lands, it will provide an opportunity for the Communists or other un-Islāmic forces to exploit the situation.

(EDITOR'S NOTE)

If the term khilāfa is used for an Islamic government, the question will necessarily arise whether there will be many khalīfas in the Muslim Ummah divided as it is, today, in numerous nation-states.

Mazheruddin Siddiqi

FOOT NOTES

1. Sun Yet Sen, *The Principle of Democracy*, tr. by Frank W. Price (Westport, CT: Greenwood press, 1970), pp. 14-15
2. 'Alī Shar'ati, *Civilization and Modernization* (Houston : Free Islamic Literature, Inc. 1979), p. 10
3. Qur'ān, 19:30, 4:172, 18:65, 2:23, 17:1, 18:1, 8:41.
4. Ibd., 3:104.
5. Yūsuf 'Alī, *The Glorious Qur'an*, ed. 2 (Indiana: American Trust Publicat ions, 1977), p. 150. See also Maulāna Shabbīr Aḥmad Uthmāni, *Qur'ān Majīd* (Karachi : Aram Bagh Karkhana Tijaret Kutab, no date), p. 81.
6. Kamal A. Fārūqi, *The Evolution of Islamic Political Theory* (Karachi : National Publishing House, Ltd., 1971), pp. 43, 45, 47.
   See also E.I.J. Rosenthal, *Political thought in Medieval Islam* (Cambridge : Cambridge University press, 1962), pp. 38—43, 235—239, 241—273.
   See also the following works : al Ghazzālī, *Iḥyā'al 'Ullūm al Dīn* (Misr : Mustafa al Babi al Halbi, wa Awlāduh, 1358/1939) ;
   al Baghdādi, *Kitāb Uṣūl al Dīn* (Baghdad : Maktaba al Ma'īni, 1963) ;
   al Māwardi, *Al Aḥkām al Sulṭāniyah* (Misr : al Maktaba al Mahmudiya al Tijariya no date).
7. Maulāna Maudūdī, *Islamic Law and Constitution*, Appendix I (Lahore : Islamic. Publications, Ltd., 1960), p. 316.
8. The term Jahannam is mentioned in the Qur'ān many times in connection with those who do not fulfill the requirements of Sharī'ah. See the Qur'ān, 2 : 206, 3 : 12, 3 : 162, 4 : 55, 4 : 93, 8 : 16, 9 : 39, 9 : 81.

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9. Jalāl al Dīn al Suyūṭi, *al Jāmi' al Saghīr fi al Ḥadīth al Bashīr al Nazīr* (Misr : Dar al Qalm, 1966), p. 175.
10. Qur'ān, 33 : 21.
11. Ibid., 4 : 59.
12. Fārūqi, p. 161-162.
13. Fārūqi, p. 161.
14. Qur'ān, 42 : 38.
15. Ibid., 3 : 19
16. Maulāna Maudūdī, *Tarjumān al Qur'an,* vol. 4 (Lahore: Maktaba Ta'mīr Insāniyat, Urdu Bazar, 1976), p. 510 and *Islami Riyāsat* (Lahore : Islamic Publications, Ltd., 1977), pp. 638—642.
17. M. M. Sharif, Muslim Political Theory and Institutions, " *Proceedings of the Third All Pakistan Political Conference,* 1962, (Karachi : International press, 1965), p. 16. Cited on the authority of Imām Abū Yūsuf, *Kitāb al Khirāj,* ed. 2 (Egypt : al Matba'at al Salafiya, 1352/1933), p. 25.
18. M. H. Haykal, *The Life of Muhammad, tr.* by Dr. Isma'il R. al Fārūqī (Indiana : American Trust Publications, 1976), p. 259.
19. Muhammad Ibn Abd Allah al Khātib al Tabrizi, *Mishkāt al Maṣābiḥ,* Part one (al (al Maktaba al Islāmi li Attaba'at was al Nashr, 1380/1961), p. 174.
20. Haykal, pp. 253—270.
21. Maudūdī, *Islāmī Riyāsat,* p. 373. Cited from Alusi, *Rūḥ al Ma'āni* (Egypt. Idara al Taba'at al Muniriya, 1345/1925), p. 42.
22. Muhammad Asad, *The Principles of State and Government in Islam* (Berkely : University of California Press, 1961), p. 54.
23. Qur'ān, 16 : 90, 5 : 9, 4 : 135, respectively.
24. See : *Constituent Assembly of Pakistan Debates,* Vol. 5, no. 3, March 9, 1949, speech of Maulāna 'Uthmāni in the Assembly.
    See also Vol. 5, no. 1, March 7, 1949, Speech of Mr. Liāquat 'Alī Khan.
25. Majīd Khadduri, *War and Peace in the Laws of Islam* (Baltimore : Johns Hopkins press, 1955), p. 16.
    Maulāna Maudùdī, *Islamic Law and Constitution,* p. 148.

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